

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOSE RIVERA,

Plaintiff,

vs

9:05-CV-1201

C.O. BUSHEY and MR. GLASCOCK,
Correctional Officer,

Defendants.

APPEARANCES:

OF COUNSEL:

JOSE RIVERA
Plaintiff, Pro Se
94 - A 1656
Sing Sing Correctional Facility
354 Hunter Street
Ossining, New York 10562

HON. ELIOT SPITZER
Attorney General of the
State of New York
Attorney for Defendants
Department of Law
The Capitol
Albany, NY 12224

CHARLES J. QUACKENBUSH, ESQ.
Asst. Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff, Jose Rivera, brought this civil rights action pursuant to 42 U.S.C.

§ 1983. By Report-Recommendation dated September 20, 2006, the Honorable George H. Lowe, United States Magistrate Judge, recommended that the plaintiff's complaint be dismissed for the reasons stated in the Report-Recommendation. No objections to the Report-Recommendation have been filed. However, it is noted that the plaintiff did not

advise the court of his latest change of address, and therefore the Report-Recommendation was returned to the court as undeliverable.

Based upon a careful review of the entire file and the recommendations of Magistrate Judge Lowe, the Report-Recommendation is accepted and adopted in its entirety.

See 28 U.S.C. 636(b)(1).

Accordingly, it is

ORDERED that

1. The complaint is DISMISSED; and
2. The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: January 18, 2007
Utica, New York.


United States District Judge